

H.A

Notice of Allowability

Application No.

10/675,768

Examiner

Bryan Bui

Applicant(s)

KIRUBALARATNAM ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/30/2003.
2. ☒ The allowed claim(s) is/are 1-19.
3. ☒ The drawings filed on 30 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>021705</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. William M. Lee, Jr. on 2/16/2005.

The application has been amended as follows:

In claim 9, line 1, delete "9", insert therein --8--.

In claim 14, line 3, after the word "records", insert --being stored,--.

Allowable Subject Matter

2. Claims 1-19 have been examined and allowed over the prior art of record.

3. The following is an examiner's statement of reasons for allowance:

The prior art of record do not teach or suggest the claimed combination as recite in the provided method/system/product claims such the limitations require: saving a statistical data element into a memory area identifiable according to the finite time interval to which the data relates and repeating steps (a) --(c) for subsequent time intervals, whereby statistical information for a time interval longer than said finite time interval can be derived with reference to the statistical data elements saved in a plurality of said memory areas (claim 1); a memory comprising a plurality of memory areas, each memory area for saving the statistical data elements and each memory area identifiable

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according to the finite time interval to which the data relates and whereby statistical information for a time interval longer than said finite time interval can be derived with reference to statistical data elements saved in a plurality of said memory areas (claim 12); save the statistical data elements into a memory area identifiable according to the finite time interval to which the data relates and repeat steps (a)-(c) for subsequent time intervals, whereby statistical information for a time interval longer than said finite time interval can be derived with reference to the statistical data elements saved in a plurality of said memory areas (claim 13); the statistical data objects in each record being generated in respect of events occurring during a given time interval, such that a collection of records relating to successive time intervals provides in a granular representation of the operation of the system over a period of time (claim 14); adjusting a parameter by adding data contained in received objects, retrieving from storage a set of objects representing data in respect of an older time period and adjusting said parameter by subtracting data contained in said retrieved objects (claim 15);); adjusting a parameter by adding data contained in received objects, retrieving from storage a set of objects representing data in respect of an older time period and adjusting said parameter by subtracting data contained in said retrieved objects (claim 17);); adjusting a parameter by adding data contained in received objects, retrieving from storage a set of objects representing data in respect of an older time period and adjusting said parameter by subtracting data contained in said retrieved objects (claim 18); a memory comprising a plurality of memory areas, each memory area for saving the statistical data elements and each memory area identifiable according to the finite time interval to

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which the data relates and whereby statistical information for a time interval longer than said finite time interval can be derived with reference to statistical data elements saved in a plurality of said memory areas (claim 19).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan Bui whose telephone number is 571-272-2271. The examiner can normally be reached on M-Th from 7am-4pm, and Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Barlow can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BB

2/17/2005

BRYAN BUI
PRIMARY EXAMINER

